

#### REMARKS

Claims 7-12 have been canceled and new claims 13-21 have been added. These and other amendments remove the objections to the disclosure and the rejections under 35 USC 112, second paragraph. The new claims 13-16 and 18 contain features of the previous claims 7, 8, 11 and 12. The new claims 17 and 19-21 are supported by the disclosure in FIGS. 2 and 3 of the drawings and the corresponding description.

Claims 7-12 stand rejected under 35 USC 102 over Stevens et al.

The disclosed subject matter, as defined in claim 13, is concerned with a swing door apparatus for controlling movement of a swing door (corresponding to the apparatus 3 in the case of the embodiment shown in FIG. 2 of the drawings). The swing door apparatus comprises an operation shaft (corresponding to the shaft 5) for connection to the swing door whereby the operation shaft turns in accordance with movement of the swing door. A common potentiometer shaft (12) is coupled to the operation shaft whereby the potentiometer shaft turns in accordance with turning movement of the operation shaft. First and second potentiometers (13, 14) are coupled with the common potentiometer shaft. The first and second potentiometers have at least substantially identical characteristic curves (FIG. 5) and are arranged in conjunction with the common potentiometer shaft so that the respective characteristic curves are shifted in phase with respect to one another.

Stevens et al discloses a door operating system 10 including a gear chain assembly 100 (FIG. 1) for permitting a motor 212 (FIG. 5A) to drive the door. The gear chain assembly 100 includes a potentiometer 108 that permits determination of the motion of the motor and a potentiometer 130 which permits determination of the motion of the door.

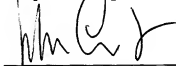
Claim 13 is not anticipated by Stevens et al. Claim 13 specifies that the first and second potentiometers are coupled with the common potentiometer shaft. Stevens et al discloses

that the potentiometer 108 is coupled to the motor whereas the potentiometer 130 is coupled to the door. In accordance with the disclosure in Stevens et al, the potentiometers 108, 130 are provided with potentiometer input gears 132, 104 respectively and it is evident from FIG. 5B that there is no common shaft within the meaning of claim 13. Further, applicant submits that Stevens et al does not disclose or suggest that the potentiometers 108, 130 have at least substantially identical characteristic curves and are arranged in conjunction with a common potentiometer shaft so that the respective characteristic curves are shifted in phase with respect to one another.

The examiner relies on Haag et al as disclosing use of an electric motor. Since claim 13 does not specify a motor, applicant submits that the disclosure of Haag et al is not relevant to the subject matter of claim 13.

In view of the foregoing, applicant submits that claim 13 is patentable, and it follows that the dependent claims 14-21 also are patentable.

Respectfully submitted,



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